IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

W.P(C).No. 33929 of 2007(L)

PETITIONER:

SHYNI.P.K., D/O.KUKKURU,
AGED 27 YEARS, PYPOTH VEEDU, KODAKARA P.O.,
KUZHIKANI, PIN-680 684, THRISSUR DISTRICT.

BY ADV. SRI.A.X.VARGHESE
SRI.A.V.JOJO

RESPONDENTS:
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1. **UNIVERSITY OF CALICUT REP. BY ITS VICE CHANCELLOR, CALICUT UNIVERSITY P.O. - 673 635.**

2. **CONTROLLER OF EXAMINATIONS, CALICUT UNIVERSITY, CALICUT UNIVERSITY P.O. - 673 635.**

BY ADV. SRI.P.C. SASIDHARAN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 33929 OF 2007 L

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Dated this the 10th December, 2007

J U D G M E N T

The relief sought for in this writ petition is mainly for a direction to the respondents to conduct a threadbare enquiry into the disappearance of the petitioner's answer paper for Social Work Administration and Human Resource Development and Participatory Project Planning and Implementation. Petitioner submits that in 2002 she had applied for revaluation of five answer papers and finally she was informed by Ext. P4 that two answer papers are not traceable. Thereafter when this writ petition was filed, the case was got adjourned on two occasions by the Standing Counsel to submit what steps are being taken for tracing the answer papers mentioned above. Even today, the submission is that despite best efforts the University could not trace out the answer papers. It is submitted that since the petitioner had already succeeded in the examinations with a second class, there is no question of issuing any certificate

declaring her of having succeeded in the revaluation. In these circumstances, if at all the petitioner is aggrieved the only remedy that is available to the petitioner is to claim damages and that is possible only in a properly framed suit.

2. Therefore, without prejudice to the right of the petitioner to claim damages, if the same is permissible in law, I close this writ petition.

3. At this stage counsel for the petitioner complains that the petitioner has not been issued the original certificates. If that be so, it will be open to the petitioner to make an application in which case the respondents shall issue the certificate.

ANTONY DOMINIC
JUDGE

jan/-